

A-Engrossed
Senate Bill 52

Ordered by the Senate April 3
Including Senate Amendments dated April 3

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for Oregon State Bar Administrative Law Section)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs state agencies to preserve final orders **in contested cases** issued by agency in digital format and to provide electronic copies to Oregon State Bar, or designee, upon request.

A BILL FOR AN ACT

1
2 Relating to final orders.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 183.**

5 **SECTION 2. (1) When an agency issues a final order in a contested case, the agency shall**
6 **maintain the final order in a digital format that:**

7 (a) **Identifies the final order by the date it was issued;**

8 (b) **Is suitable for indexing and searching; and**

9 (c) **Preserves the textual attributes of the document, including the manner in which the**
10 **document is paginated and any boldfaced, italicized or underlined writing in the document.**

11 (2) **The Oregon State Bar may request that an agency provide the Oregon State Bar, or**
12 **its designee, with electronic copies of final orders issued by the agency in contested cases.**
13 **The request must be in writing. No later than 30 days after receiving the request, the**
14 **agency, subject to ORS 192.501 to 192.505, shall provide the Oregon State Bar, or its designee,**
15 **with an electronic copy of all final orders identified in the request.**

16 (3) **Notwithstanding ORS 192.440, an agency may not charge a fee for the first two re-**
17 **quests submitted under this section in a calendar year. For any subsequent request, an**
18 **agency may impose a fee in accordance with ORS 192.440 to reimburse the agency for the**
19 **actual costs of complying with the request.**

20 (4) **For purposes of this section, a final order entered in a contested case by an admin-**
21 **istrative law judge under ORS 183.625 (3) is a final order issued by the agency that authorized**
22 **the administrative law judge to conduct the hearing.**

23 (5) **This section does not apply to final orders by default issued under ORS 183.417 (3) or**
24 **to final orders issued in contested cases by:**

25 (a) **The Department of Revenue;**

26 (b) **The State Board of Parole and Post-Prison Supervision;**

27 (c) **The Department of Corrections;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

- 1 **(d) The Employment Relations Board;**
 - 2 **(e) The Public Utility Commission of Oregon;**
 - 3 **(f) The Oregon Health Authority;**
 - 4 **(g) The Land Conservation and Development Commission;**
 - 5 **(h) The Land Use Board of Appeals;**
 - 6 **(i) The Division of Child Support of the Department of Justice;**
 - 7 **(j) The Department of Transportation, if the final order relates to the suspension, revo-**
 - 8 **cation or cancellation of identification cards, vehicle registrations, vehicle titles or driving**
 - 9 **privileges or to the assessment of taxes or stipulated settlements in the regulation of vehicle**
 - 10 **related businesses;**
 - 11 **(k) The Employment Department or the Employment Appeals Board, if the final order**
 - 12 **relates to benefits as defined in ORS 657.010;**
 - 13 **(L) The Employment Department, if the final order relates to an assessment of unem-**
 - 14 **ployment tax for which a hearing was not held; or**
 - 15 **(m) The Department of Human Services, if the final order was not related to licensing**
 - 16 **or certification.**
 - 17 **SECTION 3. Section 2 of this 2013 Act applies to final orders issued on or after the ef-**
 - 18 **fective date of this 2013 Act.**
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